



UNITED STATES DEPARTMENT OF COMMERCE
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HC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/821,424	03/21/97	YAMAMOTO	K 041465-5037

LM01/0222

MORGAN LEWIS AND BOCKIUS
1800 M STREET NW
WASHINGTON DC 20036-5869

EXAMINER

CHEVALIER, R

ART UNIT	PAPER NUMBER
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2712

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DATE MAILED: 02/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/821,424

Applicant(s)

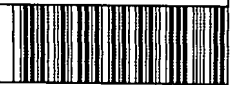
Sawabe et al

Examiner

Robert Chevalier

Group Art Unit

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☒ Responsive to communication(s) filed on Nov 17, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 10-28 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 10-28 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 10-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Cookson et al as set forth in the rejection of the canceled claims 1-9 provided in the previous Office Action mailed out on 5/21/99 (Paper No. 5). Since these new claims 10-28 recite substantially the same limitations as indicated in said canceled claims 1-9.

Response to Arguments

3. Applicant's arguments filed 11/17/99 have been fully considered but they are not persuasive.

Regarding the Applicant's argument in that the cited reference of Cookson et al being improper because it fails to disclose the feature of the "Navigation information including position information indicating recording positions of other reproduction units that belong to the same processed partial record information block, corresponding to a predetermined reproduction time of the partial record information blocks within a predetermined range before and after a respective

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one of the reproduction units on an axis of reproduction time of each of the partial record information blocks”, Examiner disagrees. It is noted that such a feature of the navigation information as argued by Applicant is present in the cited reference of Cookson et al since Cookson et al discloses that the data blocks includes address and pointer information for the purpose of identifying the recording positions and the distance of the next reproducing data blocks that belong the same version of the reproducing video program. Applicant’s attention is directed to Cookson et al’s column 36, lines 41-45, and column 30, lines 13-17, and column 2, lines 58-64).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is (703) -305-4780.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231


Or Faxed to:

(703)- 308-6306 or 308-6296

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Application/Control Number: 08/821424

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ROBERT CHEVALIER
PRIMARY EXAMINER

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B. Chevalier

February 16, 2000